
EXHIBIT 13

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FILED
KERN COUNTY SUPERIOR COURT
03/27/2019
BY Griffith, Kasey
DEPUTY

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN**

CENTER FOR BIOLOGICAL DIVERSITY, a
nonprofit organization,

Petitioner,

vs.

CENTRAL VALLEY REGIONAL WATER
QUALITY CONTROL BOARD,

Respondent,

VALLEY WATER MANAGEMENT CO.,

Real Party in Interest.

Case No. BCV-18-102201

JOINT STIPULATION TO STAY
PROCEEDINGS AND ~~[PROPOSED]~~ ORDER

*[Respondent exempt from initial filing fee under
Gov. Code, § 6103]*

Dept.: 10

Judge: Hon. Stephen D. Schuett

Action filed: Sept. 5, 2018

Petitioner Center for Biological Diversity (the "Center"), Respondent Central Valley Regional
Water Quality Control Board ("Regional Board") (collectively, the "Parties"), by and through their
respective attorneys of record, hereby stipulate and agree as follows:

Stipulation

WHEREAS, on September 5, 2018, the Center filed a Verified Petition for Writ of Mandate
("Petition") alleging that the Regional Board failed to comply with state law including the California
Water Code, state water protection regulations, and California's Anti-Degradation policy adopted by
the State Water Resources Control Board in Resolution No. 68-16, with respect to ongoing oil

1 industry wastewater discharges by Valley Water at its McKittrick 1 and McKittrick 1-3 facilities
2 (together, the “Facility”)—located in Kern County near the town of Buttonwillow, California;

3 WHEREAS, the Center’s Petition seeks, among other things, a writ of mandate ordering the
4 Regional Board to issue a cease and desist order that would require Valley Water to immediately halt
5 any and all discharges at its Facility and to commence proceedings for remediation, mitigation, and
6 restoration measures;

7 WHEREAS, on February 25, 2019, while this litigation was pending, the Regional Board
8 released a Notice of Public Hearing announcing that the Regional Board will consider adopting a
9 Tentative Cease and Desist Order applicable to the Facility at a hearing on June 6 or 7, 2019 (“June
10 6/7 hearing”);

11 WHEREAS, the Regional Board will hear comments from its staff, Valley Water, and
12 members of the public regarding the Tentative Cease and Desist Order;

13 WHEREAS, the Tentative Cease and Desist Order, if adopted as drafted, would require
14 Valley Water to cease discharges at its Facility no later than July 1, 2020 unless the discharges are in
15 compliance with new Waste Discharge Requirements for the Facility issued by the Central Valley
16 Water Board;

17 WHEREAS, the Parties expect the Regional Board to adopt, reject, or modify the Tentative
18 Cease and Desist Order at its June 6/7 hearing, and the Regional Board’s decision may affect the
19 instant litigation;

20 WHEREAS, the Parties agree that it is in the Parties’ mutual interest and the interest of
21 judicial economy to stay the litigation and toll all deadlines thereunder until the Parties know whether
22 the Regional Board has decided whether to adopt, reject, or modify the Tentative Cease and Desist
23 Order at its June 6/7 hearing;

24 WHEREAS, the Parties contacted counsel for Real Party in Interest Valley Water
25 Management Company and conveyed the terms of the proposed stipulation, and the Real Party in
26 Interest did not object to the terms;

1 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties
2 through their respective attorneys of record:

3 1. The instant matter shall be stayed until June 10, 2019.

4 2. The Parties shall meet and confer as soon as practicable thereafter to discuss how to
5 proceed with the litigation, including potential terms for settlement.

6 3. The Regional Board's time to prepare and lodge the administrative record shall be extended
7 to June 28, 2019.

8 **IT IS SO STIPULATED.**

9
10 Dated: March 26, 2019

Center for Biological Diversity

11
12 By: Hollin Kretzmann
13 Hollin Kretzmann
14 *Attorney for Petitioner Center for Biological*
15 *Diversity*

16 Dated: March __, 2019

Central Valley Regional Water Quality Control
Board

17
18 By: _____
19 Jennifer Kalnins Temple
20 *Attorney for Respondent Central Valley Regional*
21 *Water Quality Control Board*

1 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties
2 through their respective attorneys of record:

3 1. The instant matter shall be stayed until June 10, 2019.

4 2. The Parties shall meet and confer as soon as practicable thereafter to discuss how to
5 proceed with the litigation, including potential terms for settlement.

6 3. The Regional Board's time to prepare and lodge the administrative record shall be extended
7 to June 28, 2019.

8 **IT IS SO STIPULATED.**

9
10 Dated: March __, 2019

Center for Biological Diversity

11
12 By: _____

Hollin Kretzmann

13 *Attorney for Petitioner Center for Biological*
14 *Diversity*

15
16 Dated: March 26, 2019

Central Valley Regional Water Quality Control
Board

17
18 By: *Jennifer Kalnins Temple* *for*

19 Jennifer Kalnins Temple

20 *Attorney for Respondent Central Valley Regional*
21 *Water Quality Control Board*

[PROPOSED] ORDER

The Court, having reviewed the Stipulation of the Parties and finding good cause, hereby orders as follows:

1. Case No. BCV-18-102201 is stayed until Monday, June 10, 2019.
2. The time for Respondent to lodge the administrative record in this matter shall be extended to June 28, 2019.

Signed: 3/27/2019 10:11 AM

It is so ORDERED.

March 27, 2019



Judge Stephen D. Schuett

The Court sets a Case Status Conference for July 25, 2019 at 8:15 am in Department 10.